

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARY LABRADOR, individually and on behalf of all others similarly situated, Plaintiff, v. SEATTLE MORTGAGE COMPANY, Defendant.

) Case No. 08-2270 SC
) ORDER VACATING
) SHOW CAUSE HEARING
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Having reviewed Plaintiff Mary Labrador's ("Plaintiff's") Response to the Court's Order to Show Cause, ECF No. 133 ("OSC Response"), the Court VACATES the show cause hearing scheduled for April 29, 2011.

Plaintiff states in her Response that the earliest date a cy pres distribution could be made under the Settlement is August 15, 2011. Id. Accordingly, Plaintiff shall file a motion for cy pres distribution when the Settlement Administrator determines that there is residue ripe for cy pres distribution. This motion should identify the amount to be distributed and the charities to receive the distribution, and it should make the case why the charities are proper cy pres beneficiaries in this action.

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The Court ORDERS that no cy pres distribution shall be made unless approved by the Court.

4 IT IS SO ORDERED.

Dated: April 25, 2011

Samuel L. Botsford
UNITED STATES DISTRICT JUDGE

United States District Court

For the Northern District of California